

Notices of Final Rulemaking

NOTICES OF FINAL RULEMAKING

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the *Register* first as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council or the Attorney General. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Register* after the final rules have been submitted for filing and publication.

NOTICE OF FINAL RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 8. STATE RETIREMENT SYSTEM BOARD

Editor's Note: The following Notices of Final Rulemaking were exempt from Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 3073.)

[R14-186]

PREAMBLE

- 1. Articles, Parts, and Sections Affected (as applicable)** **Rulemaking Action**
R2-8-123 New Section
- 2. Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):**
Authorizing statute: A.R.S. § 38-714(E)(4)
Implementing statute: A.R.S. §§ 38-711(2), 38-714(C), (F), and (G)(3), and 38-718(D)(1)
- 3. The effective date for the rules:**
January 3, 2015
 - a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**
Not applicable
 - b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):**
Not applicable
- 4. Citation to all related notices published in the Register to include the Register as specified in R1-1-409(A) that pertain to the record of the final rulemaking package:**
Notice of Rulemaking Docket Opening: 20 A.A.R. 1008, May 2, 2014
Notice of Proposed Rulemaking: 20 A.A.R. 995, May 2, 2014
Notice of Supplemental Proposed Rulemaking: 20 A.A.R. 2075, August 8, 2014
- 5. The agency's contact person who can answer questions about the rulemaking:**
Name: Patrick M. Klein, Assistant Director
Address: ASRS
3300 N. Central Ave., Suite 1400
Phoenix, AZ 85012-0250
Telephone: (602) 240-2044
Fax: (602) 240-5303
E-mail: PatK@azasrs.gov
Web site: www.azasrs.gov
- 6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:**

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In a five-year review report approved by the Council on July 13, 2010, the ASRS intentionally allowed R2-8-123, Actuarial Assumptions and Actuarial Value of Assets, to expire. ASRS has determined that some of the information in that rule is valuable so a new R2-8-123 is made in this rulemaking.

This rulemaking is exempt from the rulemaking moratorium contained in Executive Order 2012-03 under paragraph (4)(c) of the Order.

7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Board reviewed and relied on two reports regarding valuation of the Plan, contribution rates, and investment returns. The first report, Arizona State Retirement System Actuarial Report on the Valuation of the Plan as of June 30, 2013, was prepared by Buck Consultants, the Board's retained actuary. The second report, Arizona State Retirement System Report of an Actuarial Audit, June 13, 2014, was prepared by Gabriel Roeder Smith and Company. Additionally, at the Board's June 17, 2014, meeting, Buck Consultants made a presentation titled Arizona State Retirement System Sensitivity of Pension and Health Supplement Contribution Rates and Funded Status of Various Investment Returns. Annually the Board receives and accepts or modifies the Plan's valuation including the actuarial assumed rate of return, which is one of the factors used to determine the contribution rate of members and employers for the next fiscal year. Copies of these materials may be obtained using the information provided in item 5.

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. A summary of the economic, small business, and consumer impact:

R2-8-123 will have minimal economic impact because it simply makes public the actuarial assumptions and method used by the ASRS. The rule indicates that when determining the actuarial value of assets, ASRS uses the market value of the assets plus or minus the amount that the actual investment return differs from the expected investment return. Any adjustment in the difference between actual and expected investment return is phased in over ten years. The 10-year phase-in is a technique commonly used by public retirement systems to smooth assets and avoid sharp changes in the required contributions.

10. A description of any changes between the proposed rulemaking, including supplemental notices, and the final rulemaking:

Changes between the notices of proposed rulemaking and supplemental proposed rulemaking were discussed in the Notice of Supplemental Proposed Rulemaking. ASRS reorganized R2-8-123(B)(2) to be more concise and understandable. ASRS substituted "return" for "yield" in subsection (A)(3) in order to be consistent with the terms used by the ASRS actuary and neither ASRS, nor its actuary distinguishes between the terms "investment yield rate" and "investment return rate." ASRS inserted "total" in subsection (A)(3) to include all sources of returns on investments in order to reflect that all fluctuations in the valuation of the assets are taken into consideration. ASRS added the language "and asset valuation method" to subsection (B) to clarify that the information contained in subsection (B)(2) is not an actuarial assumption, but a method for asset valuation. ASRS also removed the parenthetical language from R2-8-123(B)(2)(a) and (b) because the five-year phase-in is not applicable to current and future calculations. However, removing this language does not affect the interests of persons subject to this rule.

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to comments:

ASRS received no written comments regarding the rulemaking. No one attended the oral proceeding on September 15, 2014.

12. All agencies shall list any other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

None

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rule does not require a permit.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Federal law applies to retirement programs. However, there is no federal law specifically applicable to this rulemaking.

c. Whether a person submitted an analysis to the agency that compares the rule's impact on the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted.

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:

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No materials are incorporated by reference.

- 14. Whether the rule was previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:**

The rule was not previously made, amended, or repealed as an emergency rule.

- 15. The full text of the rules follows:**

TITLE 2. ADMINISTRATION

CHAPTER 8. STATE RETIREMENT SYSTEM BOARD

ARTICLE 1. RETIREMENT SYSTEM; DEFINED BENEFIT PLAN

Section

R2-8-123. ~~Expired~~ Actuarial Assumptions and Actuarial Value of Assets

ARTICLE 1. RETIREMENT SYSTEM; DEFINED BENEFIT PLAN

R2-8-123. ~~Expired~~ Actuarial Assumptions and Actuarial Value of Assets

- A. The following definitions apply to this Section unless otherwise specified:**
1. "Actuarial assumption" means an estimate of an uncertain future event that affects pension liabilities.
 2. "Board" means the same as in A.R.S. § 38-711.
 3. "Investment return rate" means a percentage of total return on an asset.
 4. "Market value" means an estimated monetary worth of an asset based on the current demand for the asset and the amount of that type of asset available for sale.
- B. The Board adopts the following actuarial assumptions and asset valuation method:**
1. The interest and investment return rate assumptions are determined by the Board.
 2. The actuarial value of assets equals the market value of assets:
 - a. Minus a 10-year phase-in of the excess for years in which actual investment return exceeds expected investment return; and
 - b. Plus a 10-year phase-in of the shortfall for years in which actual investment return falls short of expected investment return.

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TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

[R14-182]

PREAMBLE

- | <u>1. Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
|---|---------------------------------|
| R12-4-201 | Amend |
| R12-4-202 | Amend |
| R12-4-205 | Amend |
| R12-4-208 | Amend |
| R12-4-216 | Amend |
| R12-4-217 | Amend |
- 2. Citations to the agency's statutory authority to include the authorizing statute (general) and the implementing statute (specific):**
- Authorizing statute: A.R.S. § 17-231(A)(1)
- Implementing statute: A.R.S. §§ 17-101, 17-102, 17-231, 17-235, 17-245, 17-301, 17-332, 17-333, 17-333.01, 17-334, 17-335, 17-335.01, 17-336, 17-340, 17-362, 41-1005, 41-1092, 41-1092.02, 41-1092.04, 41-1092.06, and 41-1092.11
- 3. The effective date of the rules:**
- January 3, 2015
- a. If the agency selected a date earlier than the 60 days effective date as specified in A.R.S. § 41-1032(A), include**

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the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):

Not applicable

- b. If the agency selected a date later than the 60 days effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(B):**

Not applicable

- 4. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**

Notice of Rulemaking Docket Opening: 20 A.A.R. 1233, May 30, 2014

Notice of Proposed Rulemaking: 20 A.A.R. 1191, May 30, 2014

Notice of Public Information: 20 A.A.R. 1335, June 13, 2014

- 5. The agency's contact person who can answer questions about the rulemaking:**

Name: Celeste Cook, Rules Analyst

Address: Game and Fish Department
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Phoenix, AZ 85086

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Please visit the AZGFD web site to track progress of this rule and any other agency rulemaking matters at http://www.azgfd.gov/inside_azgfd/rules/rulemaking_updates.shtml.

- 6. An agency's justification and reason why the rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:**

The Arizona Game and Fish Commission proposes to amend its Article 2 rules, governing licenses, permits, stamps, and tags to enact amendments developed during the preceding Five-year Review process. After evaluating the scope and effectiveness of the proposed amendments specified in the review report, the Commission proposes additional amendments to further implement the original proposals.

In addition to the amendments made to ensure consistency between Commission rules and conformity with the Arizona Administrative Procedures Act and the Secretary of State's and G.R.R.C.'s rulemaking format and style requirements, the Commission proposes to amend its Article 2 rules as follows:

For R12-4-201 Pioneer License, the objective of the rule is to establish application requirements and hunting and fishing privileges for the pioneer license. The Commission proposes to amend the rule to clarify the pioneer license is a complimentary, no-fee, license and is valid for the license holder's lifetime provided the person continues to meet the statutory requirements. The rule is amended to clarify that a duplicate paper pioneer license is also complimentary. As a service to pioneer license holders, the Department offers a hard copy pioneer license for a fee of \$4. The proposed amendment specifies that only a duplicate paper license may be offered at no fee. The rule is also amended to state age and residency requirements; while these requirements are prescribed under A.R.S. § 17-336(A)(1), the Commission believes providing this information in rule will benefit the regulated community. In addition, the rule is amended to state that a person issued a pioneer license prior to January 1, 2014 is granted all of the privileges established by the last rulemaking. This is a "housekeeping" procedure intended to clarify when the new privileges became effective.

For R12-4-202 Disabled Veteran's License, the objective of the rule is to establish application requirements and hunting and fishing privileges for the disabled veteran's license. The Commission proposes to amend the rule to clarify the disabled veteran's license is a complimentary, no-fee, license and is valid for the license holder's lifetime or a three-year period (from the issue date) provided the person continues to meet the statutory requirements. The rule is also amended to state that a duplicate paper disabled veteran's license is also complimentary. As a service to disabled veteran's license holders, the Department offers a hard copy disabled veteran's license for a fee of \$4. The proposed amendment specifies that only a duplicate paper license may be offered at no fee. In addition, the rule is amended to clarify disabled veteran's license eligibility requirements; while these requirements are prescribed under A.R.S. § 17-336(A)(2), the Commission believes providing this information in rule will benefit the regulated community. In addition, the rule is amended to state that a person issued a disabled veteran's license prior to January 1, 2014 is granted all of the privileges established by the last rulemaking. This is a "housekeeping" procedure intended to clarify when the new privileges became effective.

For R12-4-205 High Achievement Scout License, the objective of the rule is to establish application requirements for the reduced-fee honorary scout license. The Commission proposes to amend the rule only to increase consistency between Commission rules.

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For R12-4-208 Guide License, the objective of the rule is to establish the minimum qualifications and application requirements for the guide license. The Commission proposes to amend the rule to increase consistency between A.R.S. Title 17 and rules within Article 2 by citing the definition of aquatic wildlife. The rule is amended to remove the effective date of the rule as it is no longer necessary. The rule is amended to clarify the guide license holder is responsible for compliance with all applicable regulatory requirements and that the license does not exempt the license holder from any other applicable method of take or licensing requirement. This is done to ensure the guide license holder is aware that additional regulations may apply and that the guide license holder must comply with all applicable laws and rules. The rule is amended to incorporate questions regarding off-highway vehicle laws and rules into the guide license examination as A.R.S. § Title 28 was amended to provide the Commission and Department with specific authorities and responsibilities related to off-highway vehicles. The rule is amended to require a person to provide acceptable proof of identity prior to taking the examination. This is necessary to ensure the person applying for the guide license is the same person who is taking the examination because the applicant is not required to take the guide examination at the time of application. The rule is amended to allow an applicant who failed the examination to retake the examination on the same day or as otherwise agreed upon by the applicant and the examination administrator to ensure consistency in processes between all Department offices. The rule is amended to require an applicant who fails an examination twice on the same day to wait at least seven calendar days before retaking the examination. The rule is amended to extend the prohibition on providing false information to required annual reports to increase consistency between Department processes and rules. This amendment will enable the Department to deny a guide license of an applicant who provided false information on the annual report within the previous three years. The rule is also amended to clarify that, in addition to the guide license, a guide license holder must possess a hunting, fishing, or combination hunting and fishing license (as applicable) when performing guide activities or providing guide services. In addition, the rule is amended to clarify how the Department determines the date of receipt for guide license applications and guide reports to provide notice to the regulated community.

For R12-4-216 Crossbow Permit, the objective of the rule is to establish eligibility requirements, conditions, and restrictions for the crossbow permit, which allows a person, who cannot draw and hold a bow, to use a crossbow during an archery-only hunt. The Commission proposes to amend the rule to define "healthcare provider" to include a Medical Doctor, Doctor of Osteopathy, Doctor of Chiropractic, Nurse Practitioner, and Physician Assistant to expand the list of persons authorized to complete the medical certification portion of the application. This is done to reduce the regulatory burden on the applicant. This change is in response to customer comments received by the Department. The rule is amended to clarify the crossbow permit does not exempt the permit holder from any other applicable method of take or licensing requirement to notice the crossbow permit holder that they must comply with all applicable laws and rules. The rule is amended to establish a temporary crossbow permit for applicants who are temporarily disabled to reduce the regulatory burden on the applicant. This change is also in response to customer comments received by the Department. The rule is amended to allow the Department to issue a crossbow permit to a person who holds a valid Challenged Hunter Access/Mobility Permit (CHAMP). This change is also in response to customer comments received by the Department. The rule is also amended to expand the list of qualifying medical conditions. This change is also in response to customer comments received by the Department. In addition, the rule is amended to clarify that the applicant is responsible for all costs associated with obtaining the medical documentation, to include re-evaluation of the medical information or a second medical opinion.

For R12-4-217 Challenged Hunter Access/Mobility Permit (CHAMP), the objective of the rule is to establish eligibility requirements, conditions, and restrictions for the CHAMP, which allows a disabled person to perform activities while hunting that are normally prohibited under A.R.S. § 17-301. The Commission proposes to amend the rule to define "healthcare provider" to include a Medical Doctor, Doctor of Osteopathy, Doctor of Chiropractic, Nurse Practitioner, and Physician Assistant to expand the list of persons authorized to complete the medical certification portion of the application. This is done to reduce the regulatory burden on the applicant. This change is in response to customer comments received by the Department. The rule is amended to clarify the CHAMP does not exempt the permit holder from any other applicable method of take or licensing requirement to notice the CHAMP holder that they must comply with all applicable laws and rules. The rule is also amended to expand the list of qualifying medical conditions. This change is also in response to customer comments received by the Department. In addition, the rule is amended to clarify that the applicant is responsible for all costs associated with obtaining the medical documentation, to include re-evaluation of the medical information or a second medical opinion.

7. A reference to any study relevant to the rule that the agency reviewed and proposes to either rely on or not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The agency did not rely on any study in its evaluation or justification for the rule.

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. A summary of the economic, small business, and consumer impact:

The Commission's intent in proposing the amendments indicated in this rulemaking is to benefit the regulated community, members of the public, and the Department by clarifying rule language, creating consistency among existing Commission rules, and reducing the burden on the regulated community where practical. The Commission anti-

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pates the rulemaking will result in an overall benefit to the regulated community, members of the public, and the Department. The Commission anticipates the rulemaking will result in little or no impact to political subdivisions of this state; private and public employment in businesses, agencies or political subdivisions, or state revenues. The Commission has determined that there are no less intrusive or costly alternative methods of achieving the purpose of the rulemaking. Therefore, the Commission has determined that the benefits of the rulemaking outweigh any costs.

10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

R12-4-202(L) was added to indicate compliance with Laws 2014, Ch. 215, § 222. The change does not change the effect of the rule as the substantive criterion remains unchanged; the terminology is changed without changing the meaning.

R12-4-208(R) was revised to specify the report deadline prescribed under A.R.S. § 17-362(C) and referenced throughout the rule.

12-4-217(M)(2)(b) was revised to clarify that an assistant must possess a valid Arizona hunting license.

In addition, minor grammatical and style corrections were made at the request of the Governor's Regulatory Review Council staff.

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

The Department did not receive any public or stakeholder comments in response to the proposed rulemaking.

12. All agency's shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

a. Whether the rule requires a permit, whether a general permit is used, and if not, the reason why a general permit is not used:

R12-4-201, R12-4-202, R12-4-205, R12-4-208, R12-4-216, and R12-4-217 require a general permit and are in compliance with the requirements prescribed under A.R.S. § 41-1037.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law, and if so, citation to the statutory authority to exceed the requirements of federal law:

Not applicable

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

The Department did not receive any analyses.

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

Not applicable

14. Whether the rule previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-4-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

The rule was not previously made, amended, or repealed as an emergency rule.

15. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 2. LICENSES; PERMITS; STAMPS; TAGS

Section

- R12-4-201. Pioneer License
- R12-4-202. Disabled Veteran's License
- R12-4-205. High Achievement Scout License
- R12-4-208. Guide License
- R12-4-216. Crossbow Permit
- R12-5-217. Challenged Hunter Access/Mobility Permit (CHAMP)

ARTICLE 2. LICENSES; PERMITS; STAMPS; TAGS

R12-4-201. Pioneer License

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- A. A pioneer license grants all of the hunting and fishing privileges of a combination hunting and fishing license. The pioneer license is only available at a Department office.
- B. The pioneer license is a complimentary license and is valid for the license holder's lifetime.
- ~~B-C.~~ A person who ~~meets the criteria in A.R.S. § 17-336(A)(1)~~ is age 70 or older and has been a resident of Arizona for at least 25 consecutive years immediately preceding application may apply for a pioneer license ~~as follows~~ by submitting an application to the Department. The application form is furnished by the Department and is available at any Department office and online at www.azgfd.gov. A pioneer license applicant shall provide all of the following information on the application:
1. An applicant for a pioneer license shall submit one of the following documents with the application. The Department shall return to the applicant any original or certified copy after the Department has verified receipt on the application form:
 - a. ~~A passport;~~
 - b. ~~An original or certified copy of the applicant's birth certificate;~~
 - c. ~~An original or copy of a valid Arizona driver's license; or~~
 - d. ~~An original or copy of a valid Arizona Motor Vehicle Division identification card.~~
 2. An applicant for a pioneer license shall apply on an application form available from any Department office. The form shall include an affidavit to be signed by the applicant that affirms the applicant has been a resident of this state for 25 or more consecutive years immediately preceding application for the license. The applicant shall provide all of the following information on the application form:
 - a. The applicant's name, age, date of birth, Department identification number, and physical description;
 - b. Current residence address or physical location of residence;
 - c. The year Arizona residency was established;
 - d. Current mailing address; and
 - e. The applicant's signature, either witnessed by a Department employee or notarized.
 1. The applicant's personal information:
 - a. Name;
 - b. Date of birth;
 - c. Physical description, to include the applicant's eye color, hair color, height, and weight;
 - d. Department identification number, when applicable;
 - e. Residency status and number of years of residency immediately preceding application, when applicable;
 - f. Mailing address, when applicable;
 - g. Physical address;
 - h. Telephone number, when available; and
 - i. E-mail address, when available;
 2. Affirmation that:
 - a. The applicant is 70 years of age or older and has been a resident of this state for 25 or more consecutive years immediately preceding application for the license; and
 - b. The information provided on the application is true and accurate.
 3. Applicant's signature and date. The applicant's signature shall be either notarized or witnessed by a Department employee.
- D. In addition to the requirements listed under subsection (C), an applicant for a pioneer license shall also submit any one of the following documents at the time of application:
1. Valid U.S. passport;
 2. Original or certified copy of the applicant's birth certificate;
 3. Original or copy of a valid government-issued driver's license; or
 4. Original or copy of a valid government-issued identification card.
- E. All information and documentation provided by the applicant is subject to Department verification. The Department shall return the original or certified copy of a document to the applicant after verification.
- ~~C-E.~~ The Department shall deny a pioneer license ~~if an applicant is not eligible for a pioneer license, fails to comply with the requirements of this Section, or provides false information during the application process~~ when the applicant:
1. Fails to meet the criteria prescribed under A.R.S. § 17-336(A)(1).
 2. Fails to comply with this Section, or
 3. Provides false information on the application.
- G. The Department shall provide written notice to the applicant if the pioneer license is denied stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Ch 6, Article 10.
- ~~D-H.~~ A pioneer license holder may request a no-fee duplicate of the paper license if provided:
1. The license has been was lost or destroyed;
 2. The license holder submits a written request to the Department for a no-fee duplicate paper license; and
 3. The Department has a record that shows Department's records indicate a pioneer license was previously issued to that

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person.

~~E-I.~~ A person issued a pioneer license prior to ~~the effective date of this Section~~ January 1, 2014 shall be entitled to the privileges established under subsection (A).

R12-4-202. Disabled Veteran's License

A. A disabled veteran's license grants all of the hunting and fishing privileges of a combination hunting and fishing license. The disabled veteran's license is only available at a Department office.

B. The disabled veteran's license is a complimentary license and is valid for a three-year period from the issue date or the license holder's lifetime, as established under subsection (F).

~~B.C.~~ A person meeting the criteria prescribed under A.R.S. § 17-336(A)(2) may apply for a disabled veteran's license. An eligible applicant is a disabled veteran who:

1. Has been a resident of Arizona for at least one year immediately preceding application, and
2. Is receiving compensation from the United States government for permanent service-connected disabilities rated as 100% disabling. Eligibility for the disabled veteran's license is based on 100% the disability rating, not on the percentage of compensation received by the veteran.

~~1.D.~~ An applicant desiring A person applying for a disabled veteran's license shall apply on submit an application to the Department. The application form furnished by the Department and is available at any Department office and online at www.azgfd.gov. The applicant shall provide all of the following information on the application form:

- ~~a.~~ The applicant's:
 - ~~i.~~ Name;
 - ~~ii.~~ Date of birth;
 - ~~iii.~~ Department identification number;
 - ~~iv.~~ Physical description;
- ~~b.~~ All physical addresses for the calendar year immediately preceding application;
- ~~c.~~ Mailing address; and
- ~~d.~~ The applicant's signature, acknowledged before a Notary Public or witnessed by a Department employee.
1. The applicant's personal information:
 - a. Name;
 - b. Date of birth;
 - c. Physical description, to include the applicant's eye color, hair color, height, and weight;
 - d. Department identification number, when applicable;
 - e. Residency status and number of years of residency immediately preceding application, when applicable;
 - f. Mailing address, when applicable;
 - g. Physical address;
 - h. Telephone number, when available; and
 - i. E-mail address, when available;
2. Affirmation that:
 - a. The applicant meets the eligibility requirements prescribed under A.R.S. § 17-336(A)(2).
 - b. The applicant has been a resident of this state for at least one year immediately preceding application for the license.
 - c. The information provided on the application is true and accurate; and
3. Applicant's signature and date. The applicant's signature shall be either notarized by a notary public or witnessed by a Department employee.

~~2.E.~~ An In addition to the requirements established under subsection (D), an applicant for a disabled veteran's license shall also submit with the application form an original certification from the Department of Veterans' Services at the time of application. The certification form is furnished by the Department and is available at any Department office and online at www.azgfd.gov. The certification shall be completed by an agent of the United States Department of Veteran's Services. The certification shall include all of the following information:

- ~~a.1.~~ The applicant's full name,
- ~~b.2.~~ Certification that the applicant is receiving compensation from the United States government for permanent service-connected disabilities rated as 100% disabling,
- ~~c.3.~~ Certification that the 100% rating is permanent, and:
 - ~~i.a.~~ Will not require reevaluation or
 - ~~ii.b.~~ Will be reevaluated in three years, and
- ~~d.4.~~ The signature and title of an agent of the Department of Veterans' Services agent who issued or approved the certification.

~~E.E.~~ If the certification required under subsection (B)(2)(e) (E) indicates that the applicant's disability rating of 100% is permanent and:

1. Will not be reevaluated, the disabled veteran's license will not expire.
2. Will be reevaluated in three years, the disabled veteran's license will expire three years from the date of issuance.

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G. All information and documentation provided by the applicant is subject to Department verification. The Department shall return the original or certified copy of a document to the applicant after verification.

~~D-H.~~ ~~The Department shall deny a disabled veteran's license to an~~ when the applicant who:

1. ~~Is not eligible for the license~~ Fails to meet the criteria prescribed under A.R.S. § 17-336(A)(2).
2. Fails to comply with the requirements of this Section, or
3. Provides false information during the application process.

~~E-I.~~ ~~The Department shall provide written notice to the applicant if the disabled veteran's license is denied~~ stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.

~~F-J.~~ A disabled veteran's license holder may request a no-fee duplicate paper license ~~if~~ provided:

1. The license ~~has been~~ was lost or destroyed,
2. The license holder submits a written request to the Department for a duplicate license, and
3. ~~The Department has a record that shows~~ Department's records indicate a disabled veteran's license was previously issued to that person.

~~G-K.~~ A person issued a disabled veteran's license prior to ~~the effective date of this Section~~ January 1, 2014 shall be entitled to the privileges established under subsection (A).

L. For the purposes of this Section, "disabled veteran" means a veteran of the armed forces of the United States with a service connected disability.

R12-4-205. High Achievement Scout License

A. A high achievement scout license is offered to a resident who is:

1. Eligible for a combination hunting and fishing license, ~~and~~
2. Under 21 years of age, and
3. A member of the Boy Scouts of the United States of America and has attained the rank of Eagle Scout, or
4. A member of the Girl Scouts of the United States of America and has attained the Gold Award.

B. The high achievement scout license grants all of the hunting and fishing privileges of the youth combination hunting and fishing license and is only available at Department offices.

1. The license is valid for ~~one year~~ one year from the date of purchase or selected start date provided the date selected is no more than 60 calendar days from and after the date of purchase.
2. A valid hunt permit-tag, nonpermit-tag, or stamp is required to validate the high achievement scout license for the take of big game animals, migratory game birds, or other wildlife authorized by an applicable tag or stamp.

C. An applicant for a high achievement scout license shall apply on an application form available from any Department office and on the Department's web site at www.azgfd.gov. The applicant shall provide all of the following information on the application ~~form~~:

1. The applicant's ~~name, date of birth, Department identification number, and physical description, to include the applicant's eye color, hair color, height, and weight;~~
2. ~~Current residence address or physical location of residence;~~
3. ~~Current mailing address; and~~
4. ~~The applicant's signature either witnessed by a Department employee or acknowledged by a notary public~~
 - a. Name;
 - b. Date of birth;
 - c. Physical description, to include the applicant's eye color, hair color, height, and weight;
 - d. Department identification number, when applicable;
 - e. Residency status and number of years of residency immediately preceding application, when applicable;
 - f. Mailing address, when applicable;
 - g. Physical address;
 - h. Telephone number, when available; and
 - i. E-mail address, when available;
2. Affirmation that the information provided on the application is true and accurate; and
3. Applicant's signature and date.

D. In addition to the application, an eligible applicant shall present with the application ~~form~~:

1. For an applicant who is a member of the Boy Scouts of the United States of America, any one of the following original documents:
 - a. A certification letter from the Boy Scouts of the United States of America stating that the applicant has attained the rank of Eagle Scout,
 - b. A Boy Scouts of the United States of America Eagle Scout Award Certificate, or
 - c. A Boy Scouts of the United States of America Eagle Scout wallet card.
2. For an applicant who is a member of the Girl Scouts of the United States of America, any one of the following original documents:
 - a. A certification letter from the Girl Scouts of the United States of America stating that the applicant has com-

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- pleted the award,
 - b. A Girl Scouts of the United States of America Gold Award Certificate, or
 - c. A Girl Scouts Gold Award Certificate from the local council.
- E. The Department shall deny a high achievement scout license to an applicant who:
- 1. Is not eligible for the license;
 - 2. Fails to comply with the requirements of this Section; or
 - 3. Provides false information during the application process.
- 4.F.** The Department shall provide written notice to the applicant stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.

R12-4-208. Guide License

- A.** ~~An individual shall not act as a guide, as defined in A.R.S. § 17-101, without a valid guide license. The Department shall issue the following guide licenses to eligible applicants:~~
- ~~1. A hunting guide license, which authorizes the license holder to act as a guide for taking wildlife other than aquatic wildlife;~~
 - ~~2. A fishing guide license, which authorizes the license holder to act as a guide for taking aquatic wildlife only;~~
 - ~~3. A hunting and fishing guide license, which authorizes the license holder to act as a guide for taking all wildlife;~~
- B.** ~~The Department shall not issue a guide license to an applicant if any of the following apply:~~
- ~~1. The applicant has been convicted, within five years preceding the date of application, of a felony violation of any federal wildlife law;~~
 - ~~2. The applicant has been convicted, within five years preceding the date of application, of a violation of A.R.S. § 17-309(D);~~
 - ~~3. The applicant's privilege to take or possess wildlife or to guide or act as a guide is under current suspension or revocation anywhere in the United States for violation of a federal or state wildlife law; or~~
 - ~~4. The applicant has been convicted, within five years preceding the date of application, of a violation of a federal or state wildlife law for which a license to take wildlife may be revoked or suspended. Subsection (B)(4) shall become effective beginning August 1, 2006.~~
- C.** ~~Unless the Commission is currently considering suspension or revocation of an applicant's license under A.R.S. § 17-340, the Department may issue a license to an applicant if:~~
- ~~1. The applicant otherwise meets the criteria prescribed by this Section; and~~
 - ~~2. The applicant has been convicted of a violation of any wildlife law in accordance with subsection (B), but the applicant voluntarily reported the violation immediately after committing it.~~
- D.** ~~The Department shall issue a guide license to an applicant who satisfies the requirements of A.R.S. § 17-362 and meets the following criteria:~~
- ~~1. An applicant for a hunting guide license shall:~~
 - ~~a. Have a current Arizona hunting license; and~~
 - ~~b. Answer correctly at least 80% of the questions in a written examination, supervised and administered by the Department, which covers:~~
 - ~~i. A.R.S. Title 17, Game and Fish, and the Commission's rules on the taking and handling of terrestrial wildlife;~~
 - ~~ii. Requirements for guiding on federal lands;~~
 - ~~iii. Identification of wildlife, special state and federal laws regarding certain species, and general knowledge of species habitat and wildlife that may occur in the same habitat; and~~
 - ~~iv. General knowledge of the types of habitat within the state, and knowledge of special or concurrent jurisdictions within the state.~~
 - ~~2. An applicant for a fishing guide license shall:~~
 - ~~a. Have a current Arizona fishing license; and~~
 - ~~b. Answer correctly at least 80% of the questions in a written examination, supervised and administered by the Department, which covers:~~
 - ~~i. A.R.S. Title 17, Game and Fish, and the Commission's rules on taking and handling of aquatic wildlife;~~
 - ~~ii. A.R.S. Title 5, Ch 3, Boating and Water Sports, and the Commission's rules on boating;~~
 - ~~iii. Identification of aquatic wildlife species, special state and federal laws regarding certain species, and general knowledge of species habitat and wildlife that may occur in the same habitat.~~
 - ~~iv. General knowledge of the types of habitat within the state and knowledge of special or concurrent jurisdictions upon bodies of water within the state.~~
 - ~~3. An applicant for a hunting and fishing guide license shall:~~
 - ~~a. Have a current Arizona hunting and fishing license; and~~
 - ~~b. Answer correctly at least 80% of the questions in the written examination required in subsection (D)(1) and the written examination required in subsection (D)(2).~~
 - ~~4. An applicant shall apply for a guide license according to subsections (F) and (G).~~

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- E.** The Department shall administer the examinations required in subsection (D) on the first Monday of the month at any Department Office. The Department shall either provide the examination score after the exam is completed or mail the examination score to the applicant within seven working days of the examination date.
- F.** An applicant for a guide license shall apply on an application form available from any Department office. The applicant shall provide all of the following information on the application form:
1. The applicant's name, home address, telephone number, residency status, date of birth, Department identification number, and physical description;
 2. Designation of guide license sought:
 - a. Hunting guide;
 - b. Fishing guide; or
 - c. Hunting and fishing guide;
 3. The applicant's current Arizona hunting and fishing license numbers, as applicable;
 4. Responses to questions regarding applicant's eligibility for licensure under subsection (B) and (C); and
 5. The applicant's signature.
- G.** An applicant for a guide license shall submit the following with the application form:
1. The applicant's original written examination score, dated within the past 12 months, for each examination required by subsection (D); and
 2. One of the following as proof of the applicant's identity. The Department shall return any original or certified copy to the applicant after the Department has verified receipt on the application form:
 - a. A passport;
 - b. An original or certified copy of the applicant's birth certificate;
 - c. An original or copy of a valid Arizona driver's license; or
 - d. An original or copy of a valid Arizona Motor Vehicle Division identification card.
- H.** The Department shall deny a guide license if an applicant is not eligible for the license, fails to comply with the requirements of this Section, or provides false information during the application process for a guide license. Any guide license so obtained is void and of no effect from the date of issuance. The Department shall provide written notice to an applicant whose application for a guide license is denied. The applicant may appeal the denial to the Commission as prescribed in A.R.S. Title 41, Ch 6, Article 10.
- I.** An individual who acts as a guide, who may or may not be hunting with the aid of dogs, shall not pursue any wildlife or hold at bay any wildlife for a hunter unless the hunter is present during the pursuit to take the wildlife. The hunter shall be continuously present during the entire pursuit of that specific animal. If dogs are used, the hunter shall be present when the dogs are released on a specific target animal and shall be continuously present for the remainder of the pursuit. Any wildlife taken in violation of this subsection is unlawfully taken. An individual shall hold wildlife at bay only during daylight hours, unless a Commission Order authorizes take of the species at night.
- J.** An individual who acts as a guide shall not aid, counsel, agree to aid, or attempt to aid another individual in planning or engaging in conduct that results in a violation. An individual who acts as a guide shall report any violation committed by a client.
- K.** When acting as a guide, a licensed guide shall carry an original or legible copy of the valid guide license and shall exhibit it upon request to any peace officer.
- L.** A guide license expires on December 31 of the year that it was issued. An applicant may renew the license for the following license year:
1. The Department shall accept an application for renewal of a guide license after December 1 of the year it was issued, but shall not start the application administrative review process, required by A.R.S. § 41-1072 et seq., before January 10 of the following license year unless the applicant's annual report, required by A.R.S. § 17-362, is received by the Department.
 2. The current guide license shall remain valid, pending Department action on the application for renewal, only if the application for renewal is made before the guide license expiration date and the annual report required by A.R.S. § 17-362 is received by January 10 of the following license year.
- M.** The Department shall renew a guide license only if the applicant continues to satisfy the requirements of A.R.S. § 17-362 and meets all of the following criteria:
1. The applicant is not prohibited from being issued a license under subsection (B);
 2. The applicant has a current valid Arizona hunting or fishing license in accordance with subsection (D);
 3. The applicant applies for the guide license as required in subsections (F) and (G);
 4. The applicant submits the annual report for the preceding license year as required by A.R.S. § 17-362;
 5. The applicant takes or re-takes and passes each applicable written examination required in subsection (D). An applicant is only required to do so if:
 - a. The applicant seeks to add a guiding authority to a current guide license;
 - b. The applicant for a hunting guide license has been convicted, within one year preceding the date of application, of a violation of A.R.S. Title 17, Game and Fish, or the Commission's rules governing the taking and handling of

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- terrestrial wildlife;
- e. ~~The applicant for a fishing guide license has been convicted, within one year preceding the date of application, of a violation of A.R.S. Title 17, Game and Fish, or the Commission's rules governing the taking and handling of aquatic wildlife;~~
 - d. ~~The applicant fails to submit a renewal application postmarked before the expiration date of the guide license; or~~
 - e. ~~The applicant fails to submit the annual report for the preceding license year, required by A.R.S. § 17-362, postmarked before January 10 of the following license year.~~
- N.** ~~The Commission may revoke a guide license issued to any individual for conviction of a violation of statute or rule, as provided in A.R.S. § 17-362(A), or revoke or suspend any license held by the guide as provided in A.R.S. § 17-340, or revoke or suspend a guide license for conviction of a felony violation of any law listed in subsection (B), or for revocation of the privilege to take wildlife by any government jurisdiction.~~
- A.** A guide, as defined under A.R.S. § 17-101, is a person who does any one of the following:
- 1. Advertises for guiding services.
 - 2. Is presented to the public for hire as a guide.
 - 3. Is employed by a commercial enterprise as a guide.
 - 4. Accepts compensation in any form commensurate with the market value in this state for guiding services in exchange for aiding, assisting, directing, leading, or instructing a person in the field to locate and take wildlife.
 - 5. Is not a landowner or lessee who, without full fair market compensation, allows access to the landowner's or lessee's property and directs and advises a person in taking wildlife.
- B.** A person shall not act as a guide unless the person holds one of the following guide licenses:
- 1. A hunting guide license, which authorizes the license holder to act as a guide for the taking of lawful wildlife other than aquatic wildlife as defined under A.R.S. § 17-101.
 - 2. A fishing guide license, which authorizes the license holder to act as a guide for the taking of lawful aquatic wildlife.
 - 3. A hunting and fishing guide license, which authorizes the license holder to act as a guide for the taking of lawful wildlife.
- C.** A guide license shall expire on December 31 of each year.
- D.** A person is not eligible to apply for an original or renewal guide license when any one of the following conditions apply:
- 1. The applicant was convicted of a felony violation of any federal wildlife law, within five years immediately preceding the date of application;
 - 2. The applicant was convicted of a violation listed under A.R.S. § 17-309(D), within five years immediately preceding the date of application;
 - 3. The applicant was convicted of a violation of a federal or state wildlife law for which a license to take wildlife may be revoked or suspended within five years immediately preceding the date of application; or
 - 4. The applicant's privilege to take or possess wildlife or to guide or act as a guide is currently suspended or revoked anywhere in the United States for violation of a federal or state wildlife law.
- E.** Notwithstanding subsection (D), a person who was convicted of a misdemeanor violation of any wildlife law within one year preceding the date of application may apply for a guide license provided the person immediately and voluntarily reported the violation to the Department after committing the violation.
- F.** An applicant for a guide license shall:
- 1. Be 18 years of age or older, and
 - 2. Possess the required Department-issued license, as applicable:
 - a. A current Arizona hunting license when applying for a hunting guide license;
 - b. A current Arizona fishing license when applying for a fishing guide license;
 - c. A current Arizona combination hunting and fishing license when applying for a hunting and fishing guide license;
- G.** The guide license does not exempt the license holder from any applicable method of take or licensing requirement. The guide license holder shall comply with all applicable Commission rules, including, but not limited to, rules governing:
- 1. Lawful methods of take.
 - 2. Lawful devices, and
 - 3. License requirements.
- H.** Unless otherwise provided under this Section, a person shall successfully complete the Department administered examination, and answer at least 80% of the questions correctly, prior to applying for a guide license. Guide examinations are:
- 1. Provided at a Department office.
 - 2. Valid for a period up to twelve months prior to the date on which the applicant submits an application to the Department.
 - 3. Conducted during normal business hours.
 - 4. Conducted on the first Monday of the month or by special appointment. A person interested in taking the guide examination shall contact a Department office to obtain scheduling information.
- I.** The examination is based on the type of guide license the person is seeking.

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1. A person shall provide acceptable proof of identity, as listed under subsection (L)(2), prior to taking the examination.
 2. The examination may include questions regarding any of the following topics:
 - a. A.R.S. Title 17 Game and Fish statutes and Commission rules regarding the taking and handling of terrestrial and aquatic wildlife;
 - b. A.R.S. Title 28, Ch 3, Article 20 Off-highway Vehicles statutes and rule regarding the use of off-highway vehicles;
 - c. A.R.S. Title 5, Ch 3, Boating and Water Sports statutes and Commission rules on boating;
 - d. Requirements for guiding on federal lands;
 - e. Identification of aquatic wildlife species;
 - f. Identification of wildlife;
 - g. Special state and federal laws regarding certain species;
 - h. General knowledge of species habitat and wildlife that may occur in the same habitat;
 - i. General knowledge of the types of habitat within the State; and
 - j. General knowledge of special or concurrent jurisdictions within the State.
 3. An applicant who fails an examination may retake the examination on the same day or as otherwise agreed upon by the applicant and the examination administrator. An applicant who fails an examination twice on the same day shall wait at least seven calendar days, from the examination date, before retaking the examination.
- J.** In addition to the guide examination requirement under subsection (H), a guide license holder shall take the Department administered examination when:
1. The applicant is applying to add a new guiding authority to a current guide license;
 2. The applicant for a hunting guide license was convicted of a violation of A.R.S. Title 17 or Game and Fish Commission rule governing the taking and handling of terrestrial wildlife within one year preceding the date of application;
 3. The applicant for a fishing guide license was convicted of a violation of A.R.S. Title 17 or Game and Fish Commission rule governing the taking and handling of aquatic wildlife within one year preceding the date of application;
 4. The applicant failed to submit a renewal application postmarked before the expiration date of the guide license; or
 5. The applicant failed to submit the annual report for the preceding license year by January 10 of the following license year.
- K.** A person may apply for a guide license by submitting an application to the Department. The application form is furnished by the Department and is available at any Department office and online at www.azgfd.gov. A guide license applicant shall provide all of the following information on the application:
1. The applicant's personal information:
 - a. Name;
 - b. Date of birth;
 - c. Physical description, to include the applicant's eye color, hair color, height, and weight;
 - d. Social Security Number or Department identification number;
 - e. Residency status;
 - f. Mailing address, when applicable;
 - g. Physical address;
 - h. Telephone number, when available;
 - i. E-mail address, when available;
 - j. Type of guide license sought; and
 - k. Calendar year for which the application is made;
 2. The outfitting or guide:
 - a. Business name; and
 - b. Business address, as applicable;
 3. Responses to questions relating to criminal violations;
 4. Affirmation that:
 - a. The applicant meets the eligibility requirements prescribed under this Section; and
 - b. The information provided on the application is true and accurate;
 5. Applicant's signature and date.
- L.** In addition to the requirements listed under subsection (K), an applicant for a guide license shall also submit the following documents at the time of application for an original or renewal of a guide license:
1. Proof of the successful completion of the guide examination required under subsection (H). The applicant must successfully complete the examination within the twelve months immediately preceding the date of application.
 2. One of the following as proof of the applicant's identity:
 - a. Valid U.S. passport;
 - b. Original or certified copy of the applicant's birth certificate;
 - c. Original or copy of a valid government-issued driver's license; or
 - d. Original or copy of a valid government-issued identification card.

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- M.** All information and documentation provided by the guide license applicant is subject to Department verification. The Department shall return the original or certified copy of a document to the applicant after verification.
- N.** An applicant for a guide license shall pay all applicable fees required under R12-4-102 upon approval of an initial or renewal application for a guide license.
- O.** The Department shall deny a guide license when the applicant:
1. Fails to meet the criteria prescribed under A.R.S. § 17-362.
 2. Fails to comply with the requirements of this Section.
 3. Provides false information during the application process.
 4. Fails to provide the annual report required under subsection (R) by January 10, or
 5. Provides false information in the annual report required under subsection (R) within three years immediately preceding the date of application.
- P.** The Department shall provide written notice to the applicant stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.
- Q.** A guide license holder may submit an application for renewal of a guide license after December 1 of the year it was issued. The Department shall not start the substantive review, as defined under A.R.S. § 41-1072, before January 10 of the following license year, unless the Department receives the annual report prior to the date established under subsection (R). The current guide license shall remain valid pending a Department decision on the application for renewal, provided:
1. The application for renewal is submitted to the Department by December 31, and
 2. The Department receives the annual report submitted in compliance with subsection (R).
- R.** A guide license holder shall submit to the Department the annual report required under A.R.S. § 17-362(C) for the previous calendar year before January 10 of the following license year. The report form is furnished by the Department and is available at any Department office or online at www.azgfd.gov.
1. A report is required whether or not the license holder performed any guiding activities.
 2. The annual report shall include all of the following information, as applicable:
 - a. License holder's personal information:
 - i. Name;
 - ii. Guide license number; and
 - iii. E-mail address, when available; and
 - b. Client's personal information:
 - i. Name;
 - ii. Mailing address; and
 - iii. Arizona license, tag and permit numbers, and
 - c. Dates guiding activities were conducted;
 - d. Number and species of wildlife taken by the clients;
 - e. Game management unit or body of water where guiding activities took place;
 - f. Affirmation that the information provided in the annual report is true and accurate; and
 - g. License holder's signature and date.
 3. The Department shall not renew a guide license if the annual report is not submitted to the Department by January 10 of the following license year.
- S.** The date of receipt for the items required under subsections (K), (L), (Q), and (R) shall be as follows:
1. The date a person presents the items to a Department office;
 2. The date a private express mail carrier receives the package containing the items as indicated on the shipping package; or
 3. The date of the United States Postal Service postmark stamped on the envelope containing the items.
- T.** While performing guide activities or providing guide services, a guide license holder shall:
1. Possess a valid guide license.
 2. Possess a valid Arizona hunting, fishing, or combination hunting and fishing license, as applicable under subsection (F)(2).
 3. Present the license for inspection upon the request of any peace officer, wildlife manager, or game ranger.
 4. Report any violation of a federal or state wildlife regulation, law, or rule personally witnessed by the guide license holder.
- U.** A guide license holder shall not:
1. Use, or allow another person to use, any method or device prohibited under any federal or state wildlife regulation, law, or rule while taking wildlife.
 2. Aid, counsel, agree to aid, or attempt to aid another person in planning or engaging in conduct that results in a violation of any federal or state wildlife regulation, law, or rule while taking wildlife.
 3. Pursue any wildlife or hold at bay any wildlife for a person unless that person is present during the pursuit to take the wildlife.
 - a. The person shall be continuously present during the entire pursuit of that specific target animal.

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- b. If dogs are used, the person shall be present when the dogs are released on a specific target animal and shall be continuously present for the remainder of the pursuit.
- 4. Hold wildlife at bay other than during daylight hours, unless a Commission Order authorizes the take of the species at night.
- V. As authorized under A.R.S. § 17-362(A), the Commission may revoke or suspend a guide license when any one or more of the following actions occur:
 - 1. The guide license holder failed to comply with the requirements of A.R.S. Title 17 or was convicted of violating any provision of A.R.S. Title 17;
 - 2. The guide license holder was convicted of a felony violation of any federal wildlife law;
 - 3. The guide license holder was convicted of a violation listed under A.R.S. § 17-309(D);
 - 4. The guide license holder was convicted of a violation of a federal or state wildlife law for which a license to take wildlife may be revoked or suspended; or
 - 5. The guide license holder's privilege to take or possess wildlife is suspended or revoked by any jurisdiction for violation of a federal or state wildlife law.

R12-4-216. Crossbow Permit

- A. ~~For the purposes of this Section, "crossbow permit" means a document issued by the Department that authorizes the permit holder to use a crossbow during an archery-only season, as prescribed under R12-4-318 "healthcare provider" means a person who is licensed to practice by the federal government, any state, or U.S. territory with one of the following credentials:~~
 - Medical Doctor,
 - Doctor of Osteopathy,
 - Doctor of Chiropractic,
 - Nurse Practitioner, or
 - Physician Assistant.
- B. ~~A crossbow permit is valid only when the designated animal for the allows a person to use a crossbow, or any bow to be drawn and held with an assisting device, during an archery-only season may otherwise be taken by crossbow, as prescribed under R12-4-318, when authorized under R12-4-304 as lawful for the species hunted. Possession of a crossbow permit does not waive any other requirement for method of take or licensing.~~
- C. The crossbow permit does not exempt the permit holder from any other applicable method of take or licensing requirement. The permit holder shall be responsible for compliance with all applicable regulatory requirements.
- D. The crossbow permit does not expire, unless:
 - 1. The medical certification portion of the application indicates the person has a temporary physical disability; then the crossbow permit shall be valid only for the period of time indicated on the crossbow permit as specified by the healthcare provider.
 - 2. The permit holder no longer meets the criteria for obtaining the crossbow permit, or
 - 3. The Commission revokes the person's hunting privileges under A.R.S. § 17-340. A person whose crossbow permit is revoked by the Commission may petition the Commission for a rehearing as established under R12-4-607.
- ~~E.~~ An applicant for a crossbow permit shall apply on by submitting an application form to the Department. The application form is furnished by the Department and is available from at any Department office and online at www.azgfd.gov. The A crossbow permit applicant shall provide all of the following information on the application form:
 - 1. ~~The applicant's name, Department identification number, mailing address, and telephone number;:~~
 - a. Name;
 - b. Date of birth;
 - c. Physical description, to include the applicant's eye color, hair color, height, and weight;
 - d. Department identification number, when applicable;
 - e. Residency status;
 - f. Mailing address, when applicable;
 - g. Physical address;
 - h. Telephone number, when available; and
 - i. E-mail address, when available;
 - 2. Affirmation that:
 - a. The applicant meets the requirements of this Section, and
 - b. The information provided on the application is true and accurate, and
 - 3. Applicant's signature and date.
 - ~~2.4. A statement from an M.D., doctor of medicine, with a valid license to practice issued by any state, or a D.O., doctor of osteopathic medicine, with a valid license to practice issued by any state, that affirms The certification portion of the application shall be completed by a healthcare provider. The healthcare provider shall:~~
 - a. Certify the applicant has a permanent disability of at least 90% impairment of function of one arm; one or more of the following physical limitations:

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- i. An amputation involving body extremities required for stable function to use conventional archery equipment;
- ii. A spinal cord injury resulting in a disability to the lower extremities, leaving the applicant nonambulatory;
- iii. A wheelchair restriction;
- iv. A neuromuscular condition that prevents the applicant from drawing and holding a bow;
- v. A failed functional draw test that equals 30 pounds of resistance and involves holding it for four seconds;
- vi. A failed manual muscle test involving the grading of shoulder and elbow flexion and extension or an impaired range-of-motion test involving the shoulder or elbow; or
- vii. A combination of comparable physical disabilities resulting in the applicant's inability to draw and hold a bow.
- b. Indicate whether the disability is temporary or permanent and, when temporary, specify the expected duration of the physical limitation; and provides the physician's typed or printed name, business address, and signature and
- c. Provide the healthcare provider's:
 - i. Typed or printed name,
 - ii. License number,
 - iii. Business address,
 - iv. Telephone number, and
 - v. Signature and date;
- 5. A person who holds a valid Challenged Hunter Access/Mobility Permit (CHAMP) and who is applying for a crossbow permit is exempt from the requirements of subsection (E)(4) and shall indicate "CHAMP" in the space provided for the medical certification on the crossbow permit application

~~D-F.~~ All information and documentation provided by an the applicant for a crossbow permit is subject to Department verification by the Department. The Department shall return the original or certified copy of a document to the applicant after verification.

~~E-G.~~ The Department shall provide written notice to an deny a crossbow permit when the applicant whose application for a crossbow permit is denied:

- 1. Fails to meet the criteria prescribed under this Section,
- 2. Fails to comply with the requirements of this Section, or
- 3. Provides false information during the application process.

~~H.~~ The Department shall provide written notice to the applicant stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.

~~F.~~ A crossbow permit is valid as long as the criteria for obtaining the permit are met, unless the Commission revokes the permit.

~~I.~~ The applicant claiming a temporary or permanent disability is responsible for all costs associated with obtaining the medical documentation, re-evaluation of the information, or a second medical opinion.

~~G-J.~~ When acting under the authority of a crossbow permit, the crossbow permit holder shall possess the permit, and shall exhibit the permit upon request to any peace officer, wildlife manager, or game ranger.

~~H-K.~~ A crossbow permit holder shall not transfer:

- 1. Transfer the permit to another individual person, or allow
- 2. Allow another individual person to use or possess the permit.

~~I.~~ After a hearing and upon sufficient cause showing, the Commission shall revoke the crossbow permit of a crossbow permit holder who transfers the permit to another individual or allows another individual to use the permit. An individual whose crossbow permit is revoked by the Commission may petition the Commission for rehearing in accordance with R12-4-607.

R12-4-217. Challenged Hunter Access/Mobility Permit (CHAMP)

A. For the purposes of this Section, the following definitions apply:

"Healthcare provider" means a person who is licensed to practice by the federal government, any state, or U.S. territory with one of the following credentials:

Medical Doctor,
Doctor of Osteopathy,
Doctor of Chiropractic,
Nurse Practitioner, or
Physician Assistant.

"Severe permanent disability" means one or more permanent physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, intellectual disability, muscular dystrophy, musculoskeletal disorders, neurological disorders, paraplegia, pulmonary disorders, quadriplegia and other spinal cord conditions, sickle cell anemia, and end stage renal disease or a combination of permanent disabilities resulting in comparable substantial functional limitations.

~~A-B.~~ The Department shall issue to a qualified individual a Challenged Hunter Access/Mobility Permit (CHAMP) that allows

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~~the individual~~ a person with a severe permanent disability to perform one or more of the following activities:

1. Discharge a firearm or other legal hunting device from a motor vehicle if, under existing conditions:
 - ~~a. The discharge is otherwise lawful; the;~~
 - a. The motor vehicle is motionless, it not in motion;
 - ~~c. The motor vehicle is not on any road, as defined by under A.R.S. § 17-101; and the~~
 - d. The motor vehicle's engine is turned off.
2. Discharge a firearm or other legal hunting device from a watercraft ~~(except a sinkbox), including a watercraft propelled by a motor, sail and wind, or both as defined under R12-4-501; if provided the motor has been shut is turned~~ off, the sail furled, or both; and progress has ceased.
 - a. The watercraft may be drifting as a result of current or wind action, beached, moored, resting at anchor, or propelled by paddle, oars, or pole.
 - b. A person may use a watercraft under power may be used to retrieve dead or wounded wildlife but discharge of a firearm from a watercraft is prohibited if the watercraft is underway.
 - c. For the purposes of this subsection, "watercraft" does not include a sinkbox.
3. Use off-road locations in a motor vehicle if use is not in conflict with ~~other laws~~ federal or state statutes or regulations or local ordinances or regulations and the motor vehicle is used as a place to wait for game. A person shall not use a motor vehicle shall not be used to chase or pursue game.
4. ~~Designation of~~ Designate an assistant to track and dispatch a wounded animal, and to retrieve the animal, in accordance with the requirements of this Section.

~~B.C.~~ A qualified individual who possesses a The CHAMP holder shall comply with all legal requirements governing method of take and licensing applicable regulatory requirements. A CHAMP does not exempt the permit holder from any other applicable method of take or licensing requirement.

D. The CHAMP does not expire, unless:

1. The permit holder no longer meets the criteria for obtaining the CHAMP, or
2. The Commission revokes the person's hunting privileges under A.R.S. § 17-340. A person whose CHAMP is revoked by the Commission may petition the Commission for a rehearing as established under R12-4-607.

~~C.E.~~ An applicant for a CHAMP shall apply on by submitting an application form to the Department. The application form is furnished by the Department and is available from any Department office and online at www.azgfd.gov. The CHAMP applicant shall provide all of the following information on the application form:

1. ~~The applicant's name, Department identification number, mailing address, and telephone number;~~
 - a. Name;
 - b. Date of birth;
 - c. Physical description, to include the applicant's eye color, hair color, height, and weight;
 - d. Department identification number, when applicable;
 - e. Residency status;
 - f. Mailing address, when applicable;
 - g. Physical address;
 - h. Telephone number, when available; and
 - i. E-mail address, when available;
2. Affirmation that:
 - a. The applicant meets the requirements of this Section, and
 - b. The information provided on the application is true and accurate, and
3. Applicant's signature and date.
- ~~2-4.~~ A statement from an M.D., doctor of medicine, with a valid license to practice issued by any state, or a D.O., doctor of osteopathic medicine, with a valid license to practice issued by any state, that provides the physician's printed or typed name, business address, and signature, and affirms the applicant is permanently disabled as follows: The certification portion of the application shall be completed by a healthcare provider. The healthcare provider shall:
 - a. Has a disability or combination of disabilities that creates a minimum permanent impairment of function of or equivalent to no less than 90% loss of function in one leg; Certify the applicant is a person with a severe permanent disability as defined under subsection (A), and
 - b. Has a visual field of no more than 20% in the applicant's best functioning eye; or Provide the healthcare provider's:
 - i. Typed or printed name,
 - ii. Business address,
 - iii. Telephone number, and
 - iv. Signature and date;
 - c. Has vision of 20/200 or less after best correction in the applicant's best functioning eye

~~D.F.~~ All information and documentation provided by the applicant for the CHAMP is subject to Department verification by the Department. The Department shall return the original or certified copy of a document to the applicant after verification.

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- G.** The applicant claiming a severe permanent disability is responsible for all costs associated with obtaining the medical documentation, re-evaluation of the information, or a second medical opinion.
- ~~E-H.~~** The Department shall provide written notice to an applicant whose application for a CHAMP is denied:
1. Fails to meet the criteria prescribed under this Section.
 2. Fails to comply with the requirements of this Section, or
 3. Provides false information during the application process.
- I.** The Department shall provide written notice to the applicant stating the reason for the denial. The applicant may appeal the denial to the Commission as prescribed in A.R.S. Title 41, Chapter 6, Article 10.
- J.** When acting under the authority of the CHAMP, the permit holder shall possess and exhibit the permit upon request to any peace officer, wildlife manager, or game ranger.
- ~~F-K.~~** While a motor vehicle or watercraft is in use under subsection (A), the CHAMP holder shall ensure display on the motor vehicle or watercraft the CHAMP vehicle placard that the Department issues, issued with the CHAMP, is visibly displayed on the motor vehicle or watercraft when in use.
- ~~G-L.~~** The Department shall provide a CHAMP holder with a dispatch permit that allows the CHAMP holder to designate a licensed hunter as an assistant to dispatch:
1. Dispatch and retrieve an animal wounded by the CHAMP holder, or retrieve
 2. Retrieve wildlife killed by the CHAMP holder.
- M.** The CHAMP holder shall designate the:
1. Designate an assistant only after the animal is wounded or killed. The CHAMP holder shall ensure that
 2. Ensure the designation on the dispatch permit is in ink and includes a:
 - a. A description of the animal, the
 - b. The assistant's name and valid Arizona hunting license number, and the
 - c. The date and time the animal was wounded or killed. The CHAMP holder shall also ensure, and
 3. Ensure compliance with all of the following requirements:
 - 1-a. The site where the animal is wounded and the location from which tracking begins are marked so they can be identified later.
 - 2-b. The assistant possesses the dispatch permit and a valid hunting license while tracking and dispatching the wounded animal. When acting under the authority of the dispatch permit, the assistant shall possess and exhibit the dispatch permit and hunting license upon request to any peace officer, wildlife manager, or game ranger.
 - 3-c. The CHAMP holder is in the field while the assistant is tracking and dispatching the wounded animal.
 - 4-d. The assistant does not transfer the dispatch permit to anyone except that the dispatch permit may be transferred back to the CHAMP holder.
 - 5-e. Dispatch is made by a method that is lawful for the take of the particular animal in the particular season in accordance with requirements established under R12-4-304 and R12-4-318.
 - 6-f. The assistant attaches the dispatch permit to the carcass of the animal and returns the carcass to the CHAMP holder, and the tag of the CHAMP holder is affixed to the carcass.
 - 7-g. If the assistant is unsuccessful in locating and dispatching the wounded animal, the assistant returns the dispatch permit to the CHAMP holder who strikes. The CHAMP holder shall strike the name and authorization of the assistant from the dispatch permit.
- ~~H-N.~~** A dispatch permit is void if may not be reused when all spaces for designation of an assistant are filled or the dispatch permit is attached to a carcass. The CHAMP holder may request another dispatch permit from the Department if:
1. All spaces for assistants are filled.
 2. The dispatch permit is lost, or
 3. When the CHAMP holder needs another dispatch permit for another big game hunt.
- I.** A CHAMP is valid as long as the criteria for obtaining the permit are met, unless the Commission revokes the permit.
- J.** When acting under the authority of the CHAMP, the permit holder shall possess and exhibit the CHAMP, upon request, to any peace officer.
- ~~K-O.~~** A CHAMP holder shall not transfer:
1. Transfer the permit to another individual person, or allow
 2. Allow another individual person to use or possess the permit.
- L.** After a hearing and upon sufficient cause showing, the Commission shall revoke the CHAMP of a permit holder who transfers the permit to another individual or allows another individual to use the permit, or upon conviction for violating A.R.S. § 17-312 or any other law that governs the take of wildlife, for violation of this Section. If an individual's CHAMP permit is revoked by the Commission, the individual may petition the Commission for rehearing in accordance with R12-4-607.